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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

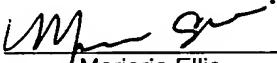
In re Application of  Michael HARTUNG, Ulrich HEIMANN, Karl-Heinz GROÙE-BRINKHAUS and Hardy REUTER	Practitioner's Docket No. PAT-00391
Serial No.: This application is a National Phase application of PCT/EP2003/007378 filed 09. July 2003.	Group Art Unit: Not Assigned
Filed:	Examiner: Not Assigned
For: ELECTROPHORETIC PAINT CONTAINING BISMUTH COMPONENTS	<b><u>EXPRESS MAIL CERTIFICATE</u></b> I hereby certify that the attached correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. <b>ER 193 007 205 US</b> addressed to BOX PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.  December 14, 2004 <hr/> Date  Marjorie Ellis

**BOX PCT**  
**Commissioner for Patents**  
**PO Box 1450**  
**Alexandria, VA 22313-1450**

<input checked="" type="checkbox"/>	Information Disclosure Statement
<input checked="" type="checkbox"/>	From PTO-1449
<input checked="" type="checkbox"/>	Cited References
<input checked="" type="checkbox"/>	International Search Report
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PATENT

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BOX PCT  
 Commissioner for Patents  
 PO Box 1450  
 Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

An International Search Report has no been provided yet. The Search Report and References will be submitted when received

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

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Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:

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 Information Disclosure Statement

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Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial

No. [ ], filed on [ ]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

In accordance with 37 C.F.R. §1.98(c), a copy of only [ ] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

Application Serial No. [ ] was published as Publication No. [ ]. The Bibliographic information for this publication is correct, but the abstract, specification, and claims are not those of [ ]. Therefore, the bibliographic page for Publication No. [ ] is provided with a copy of the specification as filed for [ ].

#### FOREIGN LANGUAGE DOCUMENTS

There are no foreign language documents listed on Form PTO-1449.

The following non-English language references were cited in the specification. The English language equivalents for these references are being submitted in substitution for the non-English references. 5,554,700 is the English equivalents for WO9324578 and 5,702,581 is the English equivalents for DE4330002

English language abstract for the following non-English references are enclosed.

Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:

No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:

Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.

A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:

A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

#### CERTIFICATION:

The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.

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Information Disclosure Statement

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The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:

Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**

Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever

occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation **Deposit Account No. 23-3425** for any additional fees due hereunder.

Reg. No.: 33,772

  
SIGNATURE OF ATTORNEY and DATE  
Anne Gerry Sabourin, December 14, 2004

Type or print name of attorney

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10/51809

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FORM PTO-1449  
(MODIFIED) US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Atty. Docket No. PAT-00301

LIST OF ART CITED BY APPLICANT  
(Use sever of sheets if necessary)

In re Application of: HARTUNG, et al.

Serial No.:

Filed: December 14, 2004

## U.S. PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5554700	09/10/96	Schipfer	525	360	5/27/93
	AB	5702581	12/30/97	Kerlin et al	204	486	8/31/94
	AC						
	AD						
	AE						
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	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						

## FOREIGN PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATED YES      NO	
	AJ	WO93/24578	09.12.93	WO	C09D	5/44		X
	AK	DE 433 0002	23.03.95	DE	C25D	13/04		X
	AL							

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AM	
AN	

EXAMINER \_\_\_\_\_ DATE CONSIDERED \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*Applicant has modified this form by deleting the word "prior".